



US EPA RECORDS CENTER REGION 5



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Minnesota Pollution Control Agency

March 20, 1981

Mr. Thomas J. Ryan
President
Reilly Tar & Chemical Corporation
1510 Market Square Center
151 North Delaware St.
Indianapolis, Indiana 46204

Re: Notice of Claim under Section 112 of Public Law 96-510

Dear Mr. Ryan:

Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, P.L. 96-510, provides for strict liability for persons who dispose of hazardous substances. This liability extends to costs of removal or remedial action and to natural resource damages resulting from the disposal of hazardous substances. As described in the Complaint of the United States and the Complaint in Intervention of the State of Minnesota in the pending lawsuit U.S. v. Reilly Tar and Chemical Corporation, Civil No. 4-80-469 (D. Minn., filed Sept. 4, 1980), Minnesota alleges that the disposal of hazardous substances by your company in St. Louis Park, Minnesota, has caused and continues to cause natural resource damages and has caused and continues to cause Minnesota to incur costs for removal and remedial action.

In accordance with Section 112(a) of P.L. 96-510, Minnesota hereby presents its claim against Reilly Tar and Chemical Corporation for these natural resource damages and costs of removal and remedial action. Your company can satisfy this claim by agreeing to undertake the tasks and obligations outlined in paragraphs two through seven of the "Prayers for Relief" in Minnesota's Complaint in Intervention. A copy of the Complaint in Intervention is enclosed herewith.

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Our agencies are prepared to work with your company on a comprehensive plan to address the soil and ground water contamination resulting from the disposal of coal tar and coal tar derivative substances at the St. Louis Park facility.

Sincerely,

/s/ Louis J. Breimhurst
LOUIS J. BREIMHURST
Executive Director
Minnesota Pollution Control
Agency

/s/ Duane Johnson
DUANE JOHNSON
Deputy Commissioner
Minnesota Department of Health

Enc.

Cc: Edward J. Schwartzbauer
Thomas E. Reiersgord
Stephen Shakman
William G. Miller
Thomas K. Berg
Allen Hinderaker

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